1945

**File No.** Trade Union II/45
Legal Deb.lt.

B BRANCH

Subject:—

Rules and Notifications under the Indian Trade Union Act 1926

2/1945-E

**File No.** Trade Union II/45

Gen. 194 e.

435-E

R.I.No.5595
4-7-45.

Submitted with reference to P.&S.D. office note on p.2 ante.

2. Section 6(c) of the Indian Trade Unions Act, 1926 (XVI of 1926), requires that a Trade Union shall not be entitled to registration under the Act unless the rules thereof provide the whole of the purposes for which the general funds of the Trade Union shall be applicable, all of which shall be purposes to which such funds are lawfully applicable under the Act. Section 15 of the said Act, enumerates objects on which general funds of a Trade Union may be spent. A certain Trade Union which has applied for registration has made in this connection the following rules-

"The general funds of this union shall not be spent on any other objects than those allowed under section 15 of the Indian Trade Unions Act, 1926."

The question for the consideration of the R.L.A. is whether the above rules can be regarded as satifying the requirements of section 6(c) of the Indian Trade Unions Act, 1926.

A. A. S. --- Section 6(c) of the Indian Trade Unions Act, 1926 (XVI of 1926) requires the rules of a Trade Union to provide for the whole of the purposes for which its general funds should be applicable as a condition preecedent to its registration. The rule required as at 'A' on p.1, following no doubt the wording of the opening two lines of section 15, provides that the funds shall not be spent on any object other than certain objects. This does not mean that they shall be spent on these certain objects. For instance they may not be spent at all & invested in secutities etc. This is no compliance with section 6(c) which requires the rules to provide for all the purposes for which the funds shall be applicable. The view taken by the Registrar(p.1)

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that....

that this does not satisfay the requirements of section 6(c) is correct.

Id/- .. 13/7

A.L.R. I agree q Reply may be A above.

Id/- ;;

MR.L.A. Reply:-

The view taken by the Registrar of Trade Unions is correct. The rule made by the Trade Union in question does not properly satisfy the requirements of section 6(c) of the Indian Trade Unions Act, 1926.

Id/- P.N.M. 23/7/45.

U.R. to P. & S.D. No.5618,
dated the 30th July 1945.

JPE.13/7/56.
4 copies.